

EXHIBIT 10

**UNITED STATES INTERNATIONAL TRADE COMMISSION
WASHINGTON, D.C.**

Before the Honorable Sidney Harris

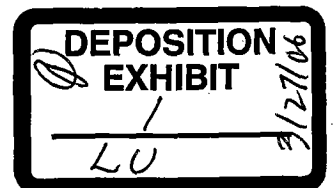
In the Matter of:

CERTAIN HIGH-BRIGHTNESS LIGHT
EMITTING DIODES AND PRODUCTS
CONTAINING SAME

Investigation No. 337-TA-556

**COMPLAINANT LUMILEDS LIGHTING U.S., LLC'S
FIRST NOTICE OF DEPOSITION TO RESPONDENT
EPISTAR CORPORATION (Topic Nos. 1-13)**

PLEASE TAKE NOTICE that Complainant Lumileds Lighting, U.S., LLC ("Lumileds"), by their attorneys, will take the deposition upon oral examination of the person or persons designated by Respondents Epistar Corporation ("Epistar") and United Epitaxy Company, Ltd. ("UEC") pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure and 19 C.F.R. § 210.28(c). The deposition will be taken before a Notary Public or other person duly authorized to administer oaths on March 21, 2006, at 9:30 a.m., at the offices of Morgan, Lewis & Bockius LLP, 2 Palo Alto Square, 3000 El Camino Real, Suite 700, Palo Alto, CA 94306, or at such other time and place as counsel or the parties may agree, and thereafter from day to day until completed. The deposition will be recorded by stenographic means and will also be recorded by videotape (audio-and-visual).



In accordance with Rule 30(b)(6) and 19 C.F.R. § 210.28(c), Epistar, also acting on behalf of UEC, shall designate one or more officers, directors, managing agents, employees or other persons to testify on its behalf as to matters known or reasonably available to them concerning the subject matter described in Exhibit A attached hereto.

Date: February 13, 2006

By:



Michael J. Lyons, Esq.

Andrew J. Wu, Esq.

Morgan, Lewis & Bockius LLP

2 Palo Alto Square

3000 El Camino Real, Suite 700

Palo Alto, CA 94306

Telephone: (650) 843-4000

Daniel Johnson, Jr., Esq.

Morgan, Lewis & Bockius LLP

One Market, Spear Street Tower

San Francisco, CA 94105-1126

Telephone: (415) 442-1000

R. Tyler Goodwyn, IV, Esq.

Carl P. Bretscher, Esq.

Todd P. Taylor, Esq.

Morgan, Lewis & Bockius LLP

1111 Pennsylvania Avenue, N.W.

Washington, D.C. 20004

Telephone: (202) 739-3000

Counsel for Complainant

Lumileds Lighting, U.S., LLC

EXHIBIT A

I. DEFINITIONS

The definitions that apply to these deposition topics are set forth below:

A. Document. As used herein, the term “document” shall have the broadest possible meaning and refers to any recorded information, including without limitation, writings, graphs, charts, photographs, and other data compilations from which information can be obtained. Any copy of a document containing thereon or having attached thereto any alterations, notes, comments or other material that is not included in the original or other copies of such document will be deemed a separate document.

B. Thing. As used herein, the term “thing” refers to any tangible object other than a document, for example, without limitation, prototypes, samples, models, or specimens.

C. Relating To. As used herein, the term “relating to” shall mean referring to, concerning, describing, discussing, evidencing, constituting, or capable of.

D. Concerning. The term “concerning” means relating to, referring to, describing, evidencing, or constituting.

E. Communication. The term “communication” means the transmittal of information (in the form of facts, ideas, inquiries, or otherwise).

F. Affiliated. The term “affiliated” in the context of being affiliated with an entity means having worked with or for the entity, having an ownership interest in the entity, being owned at least in part by the entity, serving as a foundry, wafer fab, or manufacturer for the entity, or performing any step in the manufacture or processing of the entity’s products.

G. Complainant and Lumileds. The terms “Complainant” and “Lumileds” mean Lumileds Lighting U.S., LLC.

H. Epistar. The term "Epistar" means Epistar Corporation, its subsidiaries, divisions, affiliates, predecessors, including United Epitaxy Company, Ltd., and any present or former officers, directors, trustees, employees, agents or representatives, including counsel.

I. LED. As used herein, the term "LED" shall mean Light-Emitting Diode including light-emitting diodes in both wafer and die form.

J. AlGaInP LED. As used herein, the term "AlGaInP LED" shall mean an LED having a light generating region that includes an alloy with aluminum, gallium, indium, and phosphorus substantially consistent with the formula $(Al_xGa_{1-x})_{0.5}In_{0.5}P$, where the range of x is from 0 to 1.

K. Accused AlGaInP LED. As used herein, the term "Accused AlGaInP LED" shall mean any AlGaInP LED made, used, sold, offered for sale, or imported by the Respondents, in which any layer is bonded to any other layer, including but not limited to AlGaInP LEDs known as "OMA," "MB" and "GB" LEDs.

II. Deposition Topics

1. An identification of each Accused AlGaInP LED by part number, model, design, type, or any other designation used by Epistar or UEC.

2. An identification of each Accused AlGaInP LED product, by part number, model, design, type, or any other designation used by Epistar or UEC, made, used, sold, offered for sale or imported into the United States currently or at any time in the past by Epistar or any entity affiliated with Epistar, including but not limited to UEC.

3. An identification of each Accused AlGaInP LED product, by part number, model, design, type, or any other designation used by Epistar or UEC, manufactured currently or at any time in the past by Epistar or any entity affiliated with Epistar, including but not limited to UEC, and sold to any entity which used, sold, offered for sale or imported the AlGaInP LED products into the United States.

4. An identification, authentication, and explanation of recipes, product lists, catalogs, specification sheets, advance sheets and product manuals describing or depicting AlGaInP LED products manufactured currently or at any time in the past by Epistar or any entity affiliated with Epistar, including but not limited to UEC.

5. A description of each layer of each Accused AlGaInP LED, including without limitation an identification of the composition, thickness, dopant, doping concentration(s), bandgap, and resistivity of each layer.

6. For each layer of each Accused AlGaInP LED that is directly or indirectly involved in a bonding process, a description of the properties of any interface, connection, or bonding surface, including any dislocations or defects, optical properties, electrical properties, and bonding strength.

7. The characteristics of the interface(s) between any layer that is attached to any Accused AlGaInP LED through bonding, and the layer(s) adjacent to that layer, including without limitation the mechanical strength of the interface, the electrical conductivity across the interface, the absorption of light at the interface, the transmission of light across the interface, and any threading dislocations crossing the interface.

8. The fabrication of each Accused AlGaInP LED, including but not limited to all directions, instructions, and/or procedures for each step in the manufacturing process, including without limitation information relating to wafer cleaning, photoresists, photolithography masks, photolithographic sequences, and wafer bonding techniques, including without limitation the use of any organic films or material.

9. The bonding process employed in manufacturing each Accused AlGaInP LED, including the steps performed in the bonding, identification of every layer that is in contact with any bonded material or layer, identification of the bonding and/or bonded material, the temperature and pressure for each step.

10. The differences, if any, between Epistar's "OMA" AlGaInP LEDs and its "OMA II" AlGaInP LEDs, including without limitation any layers present in the OMA II product that are not present in the OMA product, any layers of the OMA product that are absent in the OMA II product, any differences in composition, structure, doping, or function of any such layer or any

layer present in both the OMA and the OMA II product, and any differences in how the OMA product operates compared to the OMA II product.

11. The differences, if any, between (a) Epistar's OMA AlGaInP LEDs as of June 30, 2004, and (b) Epistar's subsequent "OMA" AlGaInP LEDs and its "OMA II" AlGaInP LEDs.

12. Epistar's responses to Lumileds' Interrogatory Nos. 1, 2, and 3, including without limitation the factual records relied upon in preparing the responses, any documents or things identified in the responses, and all factual records that tend to support or refute the responses.

13. Epistar's production of samples of its accused products in this litigation, including without limitation the selection of the samples, the manufacture of the samples, the structure and composition of the samples, and any differences between the samples and any other Accused AlGaInP LEDs.

CERTIFICATE OF SERVICE

I hereby certify that on February 13, 2006 a copy of the foregoing **COMPLAINANT LUMILEDS LIGHTING U.S., LLC'S FIRST NOTICE OF DEPOSITION TO RESPONDENT EPISTAR COROPORATION (ACCUSED PRODUCTS)** was served on the following parties as indicated:

The Honorable Sidney Harris
Administrative Law Judge
U.S. International Trade Commission
500 E Street, S.W., Room 119
Washington, DC 20436

One (1) copy by First Class Mail

Thomas S. Fusco, Esq.
Office of Unfair Import Investigations
U.S. International Trade Commission
500 E Street, S.W., Room 401-E
Washington, D.C. 20436
thomas.fusco@usitc.gov

**One (1) copy by e-mail and
U.S. Mail**

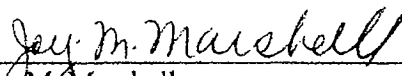
**Counsel for Respondents Epistar Corporation and
United Epitaxy Company, Ltd.**

**One (1) copy by First Class Mail
and e-mail**

Sean P. DeBruine, Esq.
Akin Gump Strauss Hauer & Feld LLP
1950 University Avenue, Suite 505
East Palo Alto, California 94303
sdebruine@akingump.com

cc: skapralov@akingump.com

Dated: February 13, 2006



Joy M. Marshall